

SCHEDULE NO. 3

ELECTION RECORDS²

General Description: Records documenting the administration of municipal elections conducted by the municipality and in coordination with the county.

Contested Elections: Destruction of nonpermanent election records is authorized at the end of the specified minimum retention period provided there was no contested election. However, *if the election is contested*, all election records must be retained until the contest has been finally resolved and all rights to appeal have expired. <Amended 3/07>

The retention periods specified in this schedule apply to the information contained within the record, regardless of the physical format of the record (paper, microfilm, computer disk or tape, optical disk, etc.). **Duplicate Copies:** Provided that no retention period is specified for duplicate copies, retain those that are created for **administrative purposes** for 1 year, and retain those created for **convenience or reference purposes** until no longer needed or for 1 year, whichever is first. Duplicate copies should not be retained longer than the record copy.

3.10 ABSENTEE VOTER RECORDS

Records documenting the casting of and accounting for absentee ballots, including absentee voter affidavits and oaths, applications for absentee ballots, lists prepared by the municipal clerk of electors receiving absentee ballots, absentee ballot return envelopes and receipts of election judges for absentee ballots and ballots cast by absentee voters. See also 3.30, *Ballots*.

Retention: 6 months after election

3.20 BALLOT ISSUE COMMENTS

Written comments received from persons eligible to vote in the municipal election that are to be summarized in the ballot issue notice mailed to registered electors [CRS 1-7-901]. <Amended 2/08>

Retention: 6 months after election

3.30 BALLOTS

The official list showing all candidates, ballot issues and ballot questions upon which an eligible elector is entitled to vote at an election, including ballots that are unused, voted, absentee, defective, spoiled, replacement, or mailed and returned by post office as undeliverable to inactive voters in mail ballot elections.

Retention: 6 months after election or until time has expired for which the ballots would be needed in any contested proceedings, *except* retain one copy of each type of sample ballot permanently in master election file and dispose of other sample ballots immediately after election [CRS 31-10-606, CRS 31-10-616(1)]

² CRS 31-10-616(2) requires the municipal clerk to preserve all election records and forms for at least six months after the election. Typically, a permanent file is retained by the municipal clerk for the preservation of election materials to be retained permanently.

COLORADO MUNICIPAL RECORDS RETENTION SCHEDULE

3.40 CAMPAIGN REPORTS AND STATEMENTS <Amended 12/04>

Affidavits, reports and statements regarding campaign committees, contributions and expenditures, required by the provisions of Colorado law. <Added 12/04>

A. Candidate Affidavits <Added 12/04>

Affidavits required by CRS 1-45-110 to be filed by candidates for municipal office within 10 days of becoming a candidate, certifying that the candidate is familiar with the Fair Campaign Practices Act.

1. Candidate Affidavits – Elected Candidates <Added 12/04>

Retention: 1 year after elected candidate leaves office [CRS 1-45-112(1)(b)]

2. Candidate Affidavits – Unsuccessful Candidates <Added 12/04>

Retention: 1 year from date of filing of affidavit [CRS 1-45-112(1)(b)]

B. Committee Statements of Organization <Added 12/04>

Statements made regarding the registration of various types of election committees, required by CRS 1-45-108.

1. Candidate Committee Statements – Elected Candidates <Added 12/04>

Retention: 1 year after elected candidate leaves office [CRS 1-45-112(1)(b)]

2. Candidate Committee Statements – Unsuccessful Candidates <Added 12/04>

Retention: 1 year from filing of statement [CRS 1-45-112(1)(b)]

3. Issue Committee Statements <Added 12/04>

Retention: 1 year from date of filing of statement [CRS 1-45-112(1)(b)]

C. Contribution and Expenditure Reports <Added 12/04>

Reports of contributions and expenditures required under the provisions of CRS Title 1, Article 45 for elected and defeated candidates, independent expenditures, and issues committees.

1. Candidate (Elected) Committee Reports <Added 12/04>

Reports of candidates and organized candidate committees required by CRS 1-45-108.

Retention: 1 year after elected candidate leaves office [CRS 1-45-112(1)(b)]

2. Candidate (Unsuccessful) Committee Reports <Added 12/04>

Reports of candidates and organized candidate committees required by CRS 1-45-108.

Retention: 1 year from date of filing of report [CRS 1-45-112(1)(b)]

3. Independent Expenditure Statements <Added 12/04>

Statements required by CRS 1-45-107 for persons making independent expenditures in support of or in opposition to a candidate or to convey a political message.

Retention: 1 year from date of filing of statement [CRS 1-45-112(1)(b)]

4. Issue Committee Reports <Added 12/04>

Reports of committees organized in support of or in opposition to election issues, required by CRS 1-45-108.

Retention: 1 year from date of filing of report [CRS 1-45-112(1)(b)]

3.50 CERTIFICATIONS OF ELECTION**A. Certificates of Votes Cast**

Certificates of election judges showing the votes cast for candidate by office.

Retention: 6 months after election

B. Certified Statement and Determination of Persons Elected

Certification of the municipal election results prepared by the municipal clerk.

Retention: Permanent

3.55 COORDINATED ELECTION RECORDS <Added 12/04>

Records generated with regard to the conduct and results of coordinated elections held in conjunction with the County. Note: Most records pertaining to coordinated elections are the responsibility of the County Clerk. Some coordinated election records are retained by the Municipal Clerk as the official record of the municipality's portion of the election.

A. Abstracts of Votes Cast – County Issued <Added 12/04>

County's abstract of votes cast (certification of election results) relating to municipal issues that were on the coordinated election ballot.

Retention: Permanent

B. Ballot Certifications <Added 12/04>

Municipal Clerk's official certification to the County Clerk of the ballot language for any measures appearing on the municipality's portion of coordinated election ballot.

Retention: Permanent

C. Ballot Review Drafts <Added 12/04>

Drafts of ballot language and proposed ballot layout exchanged with County.

Retention: 6 months after election

3.60 ELECTION JUDGES RECORDS

Records pertaining to the election service of election judges.

A. Acceptances to Serve

Written acceptance of commitment to serve as election judge, alternate judge or clerk of election.

Retention: 6 months after election

B. Expense Statements

Statement of expenses of election judges and supporting documentation such as receipts.

Retention: Until audited

C. Instructions

Written instructions issued to election judges regarding conduct of election.

Retention: 2 years + current

D. Lists of Election Judges

Listings prepared by the municipal clerk of election judges and alternates names, addresses and telephone numbers.

Retention: 6 months, *except* retain one copy of list for use at next election

E. Oaths – Election Judges

See 3.100, *Oaths and Affidavits*.

3.65 MAIL BALLOT ELECTION RECORDS <Added 12/04>

Records relating to mail ballot elections conducted by the municipality pursuant to State law, including affidavits of voters requesting replacement ballots, ballots (cast, duplicated, rejected, undeliverable, unused), paper or electronic poll books, mail ballot return verification envelopes, mail ballot processing logs, electronic or hard copy voter registration lists, written TABOR comments, and other mail ballot administrative records.

Retention: 25 months after election [CRS 1-7-802]

A. Unused Replacement Ballots <Added 12/04>

Ballots that were available but were not used for voters who did not receive a mail ballot for some reason, who had moved without changing voter registration address, etc.

Retention: After challenge period for the election has passed [CRS 1-7-802]

3.70 MAPS – ELECTION

Maps showing precinct and ward or district designations and boundaries for municipal elections. See also 7.180, *Maps and Drawings*.

Retention: Permanent³

3.80 NOMINATION RECORDS

Records relating to the submission of nomination petitions for elective municipal office.

A. Objections to Nomination Petitions

Retention: 6 months after election [CRS 31-10-616]

B. Petition for Nomination

See 3.110.F, *Nomination Petitions*.

C. Withdrawal from Nomination

Retention: 6 months after election

³ Election maps have historical value for election analysis, as evidence of evolution and growth of the community and as documentation of precinct and Ward/District boundary changes.

3.90 NOTICES OF ELECTION

Copies of notices required to be posted, published or mailed regarding the municipal election, including the "ballot issue notice" required by Section 20(3)(b) of Article X of the State Constitution containing summaries of comments on ballot issues.

Retention: 6 months after election, except retain one copy permanently in master election file

3.100 OATHS AND AFFIDAVITS

Sworn statements made by electors or election officials, including oaths or affidavits made by electors at the time of registration, judges and clerks of election, by electors requesting absentee ballots, at the time of a challenge of an elector's right to vote, oaths of watchers and substitute watchers and similar documents.

Retention: 6 months after election or until time has expired for which election documentation would be needed in any contested proceedings

3.110 PETITIONS – ELECTION

A. *Annexation Election Petitions*

Petitions for the conduct of an election to determine whether property should be annexed to the municipality [CRS 31-12-107].

Retention: Permanent

B. *Certifications of Petitions*

Certifications prepared by the municipal clerk regarding the sufficiency or insufficiency of election petitions.

Retention: Permanent

C. *Charter Initiative Petitions*

Petitions submitted by citizens to place initiated Charter amendments on a municipal election ballot.

Retention: 3 years after submission, *except* retain one copy of representative pages permanently for historical purposes in master election file *<Amended 2/05>*

D. *Initiative Petitions*

Petitions submitted by citizens in accordance with legal requirements regarding the placement of citizen-initiated measures on the municipal election ballot.

Retention: 3 years after submission, *except* retain one copy of representative pages for historical purposes in permanent election file [CRS 31-11-117] *<Amended 2/05>*

E. *Insufficient Petitions* *<Added 4/06>*

These are petitions that have been determined by the City/Town Clerk, or the courts, as being not complete in meeting the municipal and/or statutory requirements for submitting petitions.

Retention: 2 years after all appeals have been closed *except* retain one copy of representative pages permanently for historical purposes

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F. Nomination Petitions

Petitions circulated and submitted for the placement of a candidate's name on a municipal election ballot.

1. Elected Candidates

Retention: 2 years after election, *except* retain for 4 years if term of office of elected official is 4 years

2. Unsuccessful Candidates

Retention: 2 years after election <Amended 1/03>

G. Protest Records – Petitions

Records relating to protests submitted to the municipal clerk, protest process and hearings and findings of the municipal clerk regarding the protest.

Retention: Follow retention period for the specific type of petition

H. Recall Petitions

Petitions submitted in accordance with legal requirements by citizens demanding the removal of an elected municipal official from office.

Retention: 3 years after submission, *except* retain one copy of representative pages for historical purposes in permanent election file, and *except* that unsuccessful petitions may be returned to petition representatives after the municipal clerk's certification that the petition is insufficient [CRS 31-11-117] <Amended 4/06>

I. Referendum Petitions

Petitions submitted by citizens in accordance with legal requirements requesting that legislation previously adopted by the governing board be repealed or placed on a municipal election ballot for consideration by the voters.

Retention: 3 years after submission, *except* retain one copy of representative pages for historical purposes in permanent election file [CRS 31-11-117] <Amended 2/05>

3.120 POLLING RECORDS

A. Poll Books

A list kept by election judges of eligible electors to whom ballots are delivered or who are permitted to enter a voting machine for the purpose of casting their votes at an election.

Retention: 2 years + current

B. Poll Lists

Lists of registered electors for the election provided to election judges for use in verifying voter registrations at polling places.

Retention: 6 months after election

C. Poll Site Records

Documentation of selection of site and arrangements for use as a polling place.

Retention: 6 months after election, *except* retain contact information and summary of problems until after the next election

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D. Voter Signature Forms

Forms signed by voters at the polls to establish identity and request a ballot.

Retention: 45 days after election

3.130 RECEIPTS AND ACCOUNTING FORMS

A. Receipts for Transfer of Election Materials

Documentation for the receipt or transfer of election-related materials between the municipal clerk's office and election judges, including receipts for absentee ballots, ballot boxes (duplicate copy retained by municipal clerk), registration book, etc.

Retention: 6 months after election

B. Statement of Judges

Statement of election judges accounting for ballots voted, spoiled, delivered to voters, unused and returned to municipal clerk, etc.

Retention: 6 months after election

3.135 SURVEILLANCE RECORDINGS – ELECTION AREAS <Added 2/08>

Video or audio recordings of election operations in secured areas, such as ballot receipt, tabulation, handling and processing areas.

Retention: 6 months after election

3.140 TABULATION RECORDS

A. Abstract of Election

Summary of election results for the precinct posted in a conspicuous location by the judges of election.

Retention: 6 months after election

B. Tabulation Test Results

Records of testing of the tabulation equipment prior to and/or after the machine tabulation of ballots.

Retention: 6 months after election or until such time has expired for which the ballots would be needed in any contested proceedings

C. Tally Lists

Worksheets included in poll books or prepared by the municipal clerk for use of the judges of election to keep track of votes cast at the time ballots are opened and read.

Retention: 6 months after election